

COMMONWEALTH OF VIRGINIA



OFFICE OF THE SECRETARY OF NATURAL RESOURCES

September 4, 2002

To: City and Town Managers, County Administrators

From: David K. Paylor, Deputy Secretary of Natural Resources and Drought
Coordinator, Office of the Governor

Subj: Drought Issues

As you are no doubt aware, Virginia is in the midst of one of the most severe droughts in the past 100 years. I am writing to ask for your help and to offer the state's assistance in addressing the drought in your locality. Only by working together will we be able to manage what is becoming an increasingly dire drought situation.

In this memorandum, I would like to briefly outline the latest information we have about the drought, provide information about the recent restrictions on water usage that were announced on August 30, and ask for your help in efforts to conserve water in the Commonwealth.

The National Weather Service long-range outlook indicates that drought conditions are likely to get worse over the next 90 days. This will put additional strain on public water supplies, some of which have already experienced very serious shortages in the past weeks. The recent rainfall has had only a minimal impact on the drought. Most river basins in Virginia will return to previous record lows within a few days.

With the seriousness of this three-year drought in mind, Governor Warner issued Executive Order 33 on August 30, 2002 implementing water use restrictions that cover most of the state, with the exception of the Eastern Shore, Northern Virginia and far Southwest Virginia. These restrictions prohibit lawn

watering, watering of golf courses (except for tees and greens between the hours of 8:00 p.m. and 8:00 a.m.), filling swimming pools except for health and safety reasons, and washing cars (except for commercial car washes).

The state needs your help in enforcing these restrictions. The executive order itself carries no penalties. It authorizes local governments to establish, collect, and retain fines for violations. The Governor's intention in the order is to set a floor of minimum restrictions. Localities are free to add additional restrictions to reflect their local water situation.

As expected, a number of questions have arisen about these restrictions. The most common questions include swimming pools, watering of new or refurbished golf courses and lawns, and commercial car washing. The Executive Order empowered me as the Governor's drought coordinator to grant exceptions for good cause to these restrictions, in the spirit of being minimally intrusive on business and individual citizens' investments. Accordingly, today the following exceptions have been announced:

- New or repaired swimming pools may be filled as needed to maintain the structural integrity of the pool, and indoor pools may be filled as necessary to ensure swimmer health and safety.
- New and refurbished lawns and fairways may be watered for a period not to exceed 30 days.
- Commercial car washes were exempted from the restrictions on car washing in the order. This includes car washing by automotive related industries such as auto dealers, body shops, and car rental agencies. This exemption does not apply to corporate vehicle fleets.

All of these exceptions are subject to further restrictions by local governments, as local conditions warrant. As the Governor emphasized on August 30, state restrictions are intended to set a floor, not a ceiling on water restrictions.

If you would like me to consider additional exceptions, please direct your written request to Terry Wagner at the Department of Environmental Quality. Mr. Wagner's fax number is (804) 698-4032 and his email address is tdwagner@deq.state.va.us.

To assist you in enforcing these restrictions, a set of frequently asked questions is attached.

The Governor is committed to helping localities in any way possible to manage the effects of the drought. He has directed the Department of Health to track water consumption by public water systems to help keep the state updated on local needs. Your cooperation in these efforts is greatly appreciated.

In writing to the Governor to request assistance related to the drought, whether that assistance would be from the U.S. Department of Agriculture or some other source, it would be helpful if you would fax a copy of your letter to Bill Murray in the Governor's office at (804) 786-3985. If you prefer, you may email your letters to bmurray@gov.state.va.us. Faxing or emailing an advance copy will help ensure that your letters receive immediate attention.

In the case of drought disaster declaration requests, the Virginia Department of Agriculture and Consumer Services is working diligently with the U.S. Farm Service Agency to complete the needed disaster assessments. However, in some cases it may be to your locality's advantage to wait to make a request until the 30 percent loss in a single enterprise threshold (required by federal law) has been clearly met. U.S. Secretary of Agriculture Veneman is strictly applying this standard in considering drought declaration requests. Once a request is made to Secretary Veneman, the Governor will work with our congressional delegation to encourage quick action on the request.

In the coming weeks, the Governor's staff will be meeting regularly with local government representatives to discuss the latest available information on the drought and discuss common strategies. If the drought continues to worsen, the Governor may well take additional steps to conserve water, using his emergency powers. The Governor views his actions as a complement to your own actions at the local level. I look forward to working with each of you to manage this crisis in a cooperative fashion.

Attachment

c: Local Emergency Management Coordinators
Mr. R. Michael Amyx
Mr. James Campbell
The Honorable John Marshall
The Honorable W. Tayloe Murphy, Jr.
The Honorable Michael Schewel
The Honorable Jane H. Woods